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July 5, 2016

To: Supervisor Hilda L. Solis, Chair
Supervisor Mark Ridley-Thomas
Supervisor Sheila Kuehl
Supervisor Don Knabe
Supervisor Michael D. Antonovich

From: Sachi A. Hamai
Chief Executive Officer

Board of Supervisors
HILDA L. SOLIS
First District

MARK RIDLEY-THOMAS
Second District

SHEILA KUEHL
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

SACRAMENTO UPDATE

Executive Summary

This memorandum contains reports on the following:

- **Legislative Schedule.** An update on the Legislature's summer recess schedule.
- **Status of County-Sponsored Legislation**
 - **County-sponsored AB 2765 (Weber)** - related to resentencing under Proposition 47 of 2014, passed the Senate Public Safety Committee on June 28, 2016.
 - **County-sponsored SB 1008 (Lara)** - related to the Los Angeles Regional Interoperable Communications System (LA-RICS) Project, passed the Assembly Local Government Committee on June 29, 2016.
 - **County-sponsored SB 1342 (Mendoza)** - related to subpoenas to investigate allegations of wage theft, passed the Senate Floor on June 30, 2016.
- **Status of County-Advocacy Legislation.** The Legislature took action on nine County-advocacy measures related to: 1) the collection of Household Hazardous Waste; 2) the California Endangered Species Act incidental take permits; 3) commercial sex trafficking of minors; 4) the Lead-Acid Battery Recycling Act of

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2016; 5) greenhouse gas emission limits; 6) oversight and regulation of natural gas storage wells; 7) Stormwater Pollution Prevention Plans; 8) commercial sexual exploitation of children; and 9) reduction of short-lived climate pollutants.

- **Status of Legislation of County Interest.** The Legislature took action on three measures of County interest related to: 1) the Law Enforcement Assisted Diversion Pilot Program; 2) the use of room confinement in juvenile facilities; and 3) the creation of the Lower Los Angeles River Recreation and Park District.
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Legislative Schedule

On June 30, 2016, the Assembly and Senate adjourned for their summer recess. The Legislature will reconvene on August 1, 2016, when they are expected to take action on remaining legislative items including affordable housing, transportation, and cap and trade. Prior to adjourning, the Legislature took action on numerous measures including the County-sponsored, County-advocacy, and County-interest measures reported below.

Status of County-Sponsored Legislation

County-sponsored AB 2765 (Weber), which as amended on May 19, 2016, would extend the time period for individuals to petition for resentencing of specified felonies to misdemeanors pursuant to Proposition 47 of 2014 by five years, from November 4, 2017 to November 4, 2022, passed the Senate Public Safety Committee by a vote of 7 to 0 on June 28, 2016. This measure now proceeds to the Senate Appropriations Committee.

County-sponsored SB 1008 (Lara), which as amended on April 27, 2016, would: 1) provide an extension of the Los Angeles Regional Interoperable Communications System (LA-RICS) project's current California Environmental Quality Act (CEQA) exemption from January 1, 2017 until January 1, 2020; 2) provide that the CEQA exemption, if granted, would not apply to school, cultural, sacred, or fire station sites; and 3) require the LA-RICS Joint Powers Authority to hold a public hearing before making a determination that an individual project site is exempt from CEQA, file notices of the exemption with the State Office of Planning and Research and the county clerk, and post information regarding the environmental review processes on its website, passed the Assembly Local Government Committee by a vote of 8 to 0 on June 29, 2016. This measure now proceeds to the Assembly Appropriations Committee.

County-sponsored SB 1342 (Mendoza), which as amended on May 26, 2016, would clarify that current law allows a county board of supervisors or city council to delegate its subpoena powers to a county department head or city official to investigate allegations of wage theft or other violations of local ordinances, passed the Senate Floor by a vote of 37 to 0 on June 30, 2016. This measure now proceeds to the Governor.

Status of County-Advocacy Legislation

County-opposed AB 45 (Mullin), which as amended on January 21, 2016, would: 1) require CalRecycle to adopt one or more model ordinances for a local comprehensive program for the collection of Household Hazardous Waste (HHW); 2) authorize a local jurisdiction that proposes to enact an ordinance governing the collection and diversion of HHW to adopt one of the model ordinances; and 3) require CalRecycle to determine whether an appropriate nonprofit organization has been created and funded for the purpose of providing grants to local governments to assist with consumer education efforts related to HHW programs, was heard in the Senate Environmental Quality Committee on June 29, 2016, but the committee did not take a vote on the bill. The author held AB 45; therefore, this measure will not proceed this year.

County-opposed AB 1611 (Budget Committee), which as amended on June 15, 2016, would implement a new fee to cover the costs associated with processing California Endangered Species Act (CESA) incidental take permits, among other provisions, passed the Senate Floor by a vote of 23 to 13 on June 27, 2016. This measure now proceeds to the Assembly for concurrence with Senate amendments.

County-supported AB 1771 (O'Donnell), which as amended on May 19, 2016, would: 1) increase the maximum penalty of imprisonment from six months to one year in a county jail for persons convicted of directing and/or recruiting individuals into the sex trade; and 2) allow a juvenile court to dismiss charges against a minor who is alleged to have supervised or aided individuals in the sex trade, if done so under coercion or duress, passed the Senate Public Safety Committee by a vote of 7 to 0 on June 28, 2016. This measure now proceeds to the Senate Appropriations Committee.

County-supported AB 2153 (Garcia), which as amended on June 1, 2016, would establish the Lead-Acid Battery Recycling Act of 2016 to: 1) establish a \$1 fee on the purchase and sale of lead-acid batteries; 2) require a refundable deposit on lead-acid batteries purchases; and 3) establish a fund in which these fees would be used to repay the \$176.6 million State loan for cleanup of properties contaminated by Exide Technologies and other lead contamination sites throughout the State. AB 2153 was scheduled for a hearing by the Senate Environmental Quality Committee on June 15, 2016, but it was not heard. The author's office indicates that Senate leadership is receptive to granting a rule waiver to allow a hearing on this measure in August. The author is expected to conduct stakeholder meetings through the summer to address concerns regarding this measure.

County-supported SB 32 (Pavley), which as amended on June 10, 2016, would require the California Air Resources Board (CARB) to approve statewide greenhouse gas emission limits equivalent to 40 percent below the 1990 level by 2030, passed the Assembly Natural Resources Committee by a vote of 6 to 2 on June 27, 2016. This measure now proceeds to the Assembly Appropriations Committee.

County-supported SB 887 (Pavley), which as amended on May 31, 2016, would: 1) provide a comprehensive framework for the reform of the Division of Oil, Gas, and Geothermal Resources' oversight and regulation of natural gas storage wells; and 2) require evaluation, testing, and installation of specified technology and practices for operating natural gas storage wells, passed the Assembly Natural Resources Committee by a vote of 7 to 2 on June 27, 2016. This measure now proceeds to the Assembly Appropriations Committee.

County-opposed SB 1170 (Wiekowski), which as amended on May 31, 2016, would prohibit a public entity, charter city, or charter county from: 1) delegating to a contractor the development of a Stormwater Pollution Prevention Plan (SWPPP) used to prevent or reduce water pollution or runoff on a public works contract; or 2) requiring a contractor on a public works contract, that includes compliance with a SWPPP, to assume responsibility for the completeness and accuracy of a plan developed by that entity, passed the Assembly Local Government Committee by a vote of 6 to 2 on June 29, 2016. This measure now proceeds to the Assembly Appropriations Committee.

County-supported SB 1322 (Mitchell), which as amended on May 31, 2016, would: 1) make a child under the age of 18 exempt from provisions that declare it a crime to solicit or engage in any act of prostitution; and 2) authorize a commercially sexually exploited child to be taken into temporary custody if the child's situation poses an immediate threat to his or her health or safety, passed the Assembly Public Safety Committee by a vote of 6 to 1 on June 28, 2016. This measure now proceeds to the Assembly Floor.

County-supported SB 1383 (Lara), which as amended on April 12, 2016, would require the California Air Resources Board (CARB) to: 1) approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants to achieve a reduction in methane by 40 percent, hydrofluorocarbon gases by 40 percent, and anthropogenic black carbon by 50 percent below 2013 levels by 2030; 2) coordinate with other State and local agencies and districts to develop measures prior to approving the strategy; 3) evaluate the best-available scientific, technological, and economic information to ensure the strategy is cost effective and technologically feasible; and 4) incorporate and prioritize measures and actions that provide job growth, local economic benefits, public health benefits, and potential for new innovation in technology, energy, and resources management practices, passed the Assembly Natural Resources Committee by a vote of 6 to 1 on June 27, 2016. This measure now proceeds to the Assembly Appropriations Committee.

Status of Legislation of County Interest

SB 1110 (Hancock), which as amended on May 31, 2016, would, until January 1, 2020, establish the Law Enforcement Assisted Diversion (LEAD) Pilot Program, passed the Assembly Public Safety Committee by a vote of 6 to 1 on June 28, 2016. This measure now proceeds to the Assembly Appropriations Committee. The FY 2016-17 approved

budget allocates \$15.0 million in one-time funds for the LEAD pilot program which will allow up to three jurisdictions to give law enforcement the discretion to divert individuals who have committed low-level offenses to supportive services in lieu of prosecution.

SB 1143 (Leno), which as amended on May 31, 2016, would establish statutory guidelines on the use of room confinement in State and local juvenile facilities, restricting its use only in limited circumstances and under specified use and monitoring protocols, passed the Assembly Public Safety Committee by a vote of 7 to 0 on June 28, 2016. This measure now proceeds to the Assembly Appropriations Committee.

SB 1374 (Lara), which as amended on June 16, 2016, would create the Lower Los Angeles River Recreation and Park District (District) for the purpose of: 1) promoting the development of open space and parks along the Lower Los Angeles River; 2) identifying funding and resources to promote the revitalization of the Lower Los Angeles River; and 3) acquiring, constructing, improving, maintaining, and operating parks and open space along the Lower Los Angeles River, passed the Assembly Water, Parks and Wildlife Committee by a vote of 11 to 4 on June 28, 2016 and the Assembly Local Government Committee by a vote of 5 to 3 on June 29, 2016. This measure now proceeds to the Assembly Appropriations Committee.

At the Assembly Local Government hearing, Senator Lara agreed to accept committee amendments to limit the provisions of the bill to providing for the District's governing body and powers, but to still require the formation of the District to comply with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000. As proposed to be amended, SB 1374 would no longer create the District. Instead, it would provide for the specified governing body and powers should there be a proposal to initiate the formation of the District and should it require approval pursuant to the local agency formation commission.

We will continue to keep you advised.

SAH:JJ:MR
PC:IGEA:ma

c: All Department Heads
Legislative Strategist
Local 721
Coalition of County Unions
California Contract Cities Association
Independent Cities Association
League of California Cities
City Managers Associations
Buddy Program Participant